

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERNIE HINES D/B/A COLORFUL MUSIC,

Plaintiff,

v.

ROC-A-FELLA RECORDS INC, DEF JAM
RECORDINGS INC., UNIVERSAL MUSIC
GROUP, SONY MUSIC HOLDINGS INC.,
SHAWN CARTER p/k/a JAY-Z and
TIMOTHY MOSLEY p/k/a TIMBALAND,

Defendants.

CASE NO. 19-CV-04587-JPO

**DEFENDANT TIMOTHY MOSLEY’S NOTICE OF MOTION FOR AN ORDER (1)
VACATING THE CERTIFICATE OF DEFAULT ENTERED BY THE CLERK OF
COURT AGAINST MOSLEY ON OCTOBER 25, 2019; AND (2) DISMISSING MOSLEY
FROM THE ACTION ON THE GROUND OF INSUFFICIENT SERVICE OF PROCESS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and declaration of Bruce Seckendorf dated October 25, 2019, and upon all prior proceedings, pleadings, and filings in this Action, Defendant Timothy Mosley p/k/a Timbaland (“Mosley”) will move this Court at the United States Courthouse for the Southern District of New York, 40 Foley Square, Courtroom 706, New York, NY, before the Honorable J. Paul Oetken, United States District Judge, for an Order (1) vacating the certificate of default entered by the Clerk of Court against Mosley on October 25, 2019 pursuant to Fed. R. Civ. P. 55(c); and (2) dismissing Mosley from the action on the ground of insufficient service of process pursuant to Fed. R. Civ. P. 12(b)(5).

DATED: New York, New York
October 25, 2019

MITCHELL SILBERBERG & KNUPP LLP

By: /s/ Christine Lepera

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